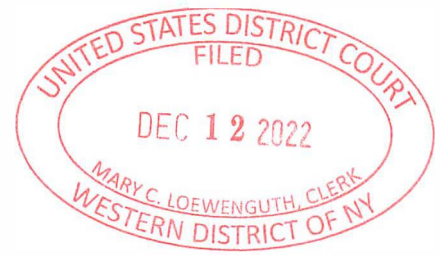


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



RUTHETTA L. ALFORD,

Plaintiff,

v.

21-CV-737

NFTA-METRO, and
ROBERT W. GUISE,

Defendants.

DECISION AND ORDER

Plaintiff Ruthetta L. Alford commenced this action on June 15, 2021 seeking relief under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e *et seq.* (“Title VII”) and the New York State Human Rights Law, N.Y. Exec. L. §§ 290 *et seq.* (“NYHRL”). Dkt. 1. On October 28, 2021, Defendants filed a Motion for Summary Judgment seeking dismissal of all of Plaintiff’s claims. Dkt. 5.¹ Plaintiff opposed Defendants’ motion, and Defendants replied. Dkt. 12, 14. This Court referred the case to United States Magistrate Judge Leslie G. Foschio for all proceedings under 28 U.S.C. §§ 636(b)(1)(A), (B), and (C). Dkt. 7.

On September 6, 2022, Judge Foschio issued a Report and Recommendation (“R&R”) recommending that this Court grant Defendants’ Motion for Summary Judgment (Dkt. 5). Dkt. 15. On October 20, 2022, Plaintiff objected to the R&R.

¹ Defendants thereafter filed an amended memorandum of law in support of their Motion for Summary Judgment. Dkt. 6.

Dkt. 18. Defendants responded to Plaintiff's objections, and Plaintiff replied. Dkt. 21, 22.

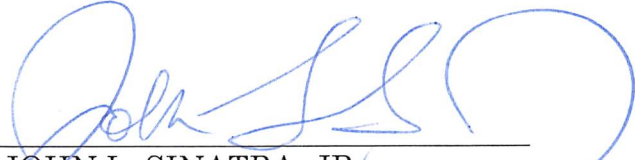
A district court may accept, reject, or modify the findings or recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). A district court must conduct a *de novo* review of those portions of a magistrate judge's recommendation to which a party objects. *See* 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3). But neither 28 U.S.C. § 636 nor Federal Rule of Civil Procedure 72 requires a district court to review the recommendation of a magistrate judge to which no objections are raised. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985).

This Court carefully reviewed the R&R, objections, response, reply, and the parties' submissions. Based on its *de novo* review, the Court accepts and adopts Judge Foschio's recommendation.

For the reasons stated above and in the R&R, the Court GRANTS Defendants' Motion for Summary Judgment (Dkt. 5). The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: December 12, 2022
Buffalo, New York



JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE